

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**UNITED STATES OF AMERICA**

\*

**vs.**

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**Case No.: 1:22-cr-00273-SAG-1**

**RASHAD MANN**

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**MEMORANDUM AND ORDER**

Defendant is charged with one count of possession of ammunition by a prohibited person in violation of 18 U.S.C. § 922(g). (ECF No. 1). After originally consenting to detention at his initial appearance, Defendant requested a detention hearing, and that hearing took place on October 19, 2022. At the conclusion of the hearing, the Court ordered Defendant detained, but indicated in its order that “Should [Pretrial Services] approve a residence and 3<sup>rd</sup> Party Custodian, Court will allow [Defendant] to move to reopen Detention Hearing.” (ECF No. 17). In so stating, the Court was indicating that it would consider an approved residence and 3<sup>rd</sup> Party Custodian sufficiently “new information” to support a motion to reopen the hearing. *Id.*; *See* 18 U.S.C. 3142(f)(2)(B).

On March 17, 2023, Defendant moved to re-open the detention hearing. (ECF No. 26). The Government has filed an Opposition. (ECF No. 27). The basis of Defendant’s motion is to offer Defendant’s father as a 3<sup>rd</sup> Party Custodian. (ECF No. 26 at ¶ 3). As the Government points out however, Defendant concedes in his motion that Pretrial Services has not approved the proposed new 3<sup>rd</sup> Party Custodian. (ECF No. 27 at 2; ECF No. 26 at ¶ 3).

The Court was clear in its detention order that it would consider re-opening the detention hearing “should [Pretrial Services] approve a residence and 3<sup>rd</sup> Party Custodian....” The

proposed 3<sup>rd</sup> Party Custodian has not been so approved. According, Defendant's motion (ECF No. 26) is **DENIED**.

3/23/2023

Date

  
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J. Mark Coulson

United States Magistrate Judge

